



## Front Country Trails Multi-Jurisdictional Task Force

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**AGENDA DATE:** October 3, 2007

**TO:** Front Country Trails Multi-Jurisdictional Task Force

**FROM:** Kathy Frye, Natural Areas Planner, City of Santa Barbara  
Erik Axelson, Deputy Parks Director, County of Santa Barbara

**SUBJECT:** Trail User Education and Enforcement

**RECOMMENDATION:** That the Front Country Trails (FCT) Multi-Jurisdictional Task Force (Task Force) receive a presentation on trail education and enforcement alternatives.

### **DISCUSSION:**

The purpose of this staff report is to provide examples of different approaches for trail user education, trail regulations, and enforcement strategies. The discussion on trail user education includes examples from the Santa Monica Mountains National Recreation Area (NRA). The discussion on enforcement includes examples from Marin County, California, and Boulder County, Colorado. The discussion also outlines applicable local regulations and enforcement authority.

### **Trail User Education**

A review of existing FCT agency and organization trail user education programs was presented in the May 2, 2007, FCT Task Force staff report. Information presented here provides trail user education examples from agencies and organizations outside of the FCT area. The FCT Task Force was introduced to the Santa Monica Mountains National Recreation Area (NRA) in the September 5, 2007, staff report, under Shared Multi-Use Trails. Since the NRA is close to Santa Barbara in proximity, topography and trail use issues, and since their work is also across agency jurisdictions, we continue to use them as an example. NRA agency and organization staff has been generous in sharing information about their work, in addition to the information that can be found online.

### Signage

*Santa Monica Mountains National Recreation Area (NRA).* The NRA encompasses over 153,000 acres and consists of the National Park Service, California State Parks, the

Santa Monica Mountains Conservancy, several City Parks, and private land holdings. NRA trail users may easily pass through several jurisdictions along one trail, similar to FCT. Therefore, NRA agencies and organizations have worked together to create a uniformity in signs. An effort has been made to coordinate sign color, styles, and fonts. A current proposal for signs along the NRA Backbone Trail includes signs with logos of the three major groups: NPS; State Parks; and Santa Monica Mountains Conservancy. Also proposed for Backbone Trail trailheads is a joint regulatory Trails Rules sign, with statements acceptable under federal and state law enforcement authority. Attachment A provides the NRA Interagency Trail Management Plan EIS/EIR Conceptual Alternatives, Recreational Facilities Signage (2005).

The Santa Monica Mountains Trails Council (SMMTC), a NRA non-profit organization (see following discussion), recently installed 73 new trail signs in Point Mugu State Park. State Parks provided signs, and SMMTC volunteers worked closely with Parks personnel to determine requirements for placement and installation. SMMTC and Eagle Scout candidates, under SMMTC supervision, provided volunteer labor and also financial support to purchase sign posts and other installation hardware. See SMMTC website link in the following section.

#### Printed Materials and Web Pages

*Santa Monica Mountains National Recreation Area (NRA).* The NRA has several avenues providing information regarding regulations, maps, education, training and volunteer opportunities in the Santa Monica Mountains. Information provided includes: *Outdoors*, a quarterly calendar of events and programs published by the NPS for the NRA; The Santa Monica Mountains Trails Council (SMMTC) website and newsletter; and agency and organization websites.

*Outdoors* can be found online or at the NPS visitor center. Staff and volunteers, from NRA partner agencies and organizations, lead hikes and classes. Hikes are geared toward user education, (biological, cultural, and geological resources), biker, hiker, and equestrian safety and etiquette, family entertainment, and health. Of particular note are the mountain bike skills classes, restoration and exotics removal sessions, and volunteer training. Trail rehabilitation work listed in the calendar is generally coordinated through the Santa Monica Mountains Trails Council (see next paragraph). Some classes are eligible for community service credit, some events are free, and some have a fee. Volunteers pay for the pleasure of training. The *Outdoors* publication link is <http://www.nps.gov/samo/planyourvisit/events.htm>.

The SMMTC is a tax exempt, non-profit organization, representing hiker, biker, and equestrian trail users in the NRA. They are dedicated to establishing and maintaining the public trail system in partnership with public and private sectors. They have been in existence since 1972 and have 100 members. Individual and business membership ranges from \$35 to \$500, and benefits include a newsletter, twice a year. SMMTC volunteers perform trail maintenance every weekend, 10 months of the year. Each volunteer session is headed by a trained crew leader. Crew leaders, NPS, State Parks,

and SMMC staff identify trails in need of work and collectively schedule work dates. Other NRA agencies may also participate. Volunteers can view upcoming opportunities on the SMMTC website, up to five months in advance. Volunteers sign a release form for each agency and fill out time sheets. Crew leaders send periodic reports to park agencies, including volunteer hours and work performed. Of particular note is the recent trail signs installation in Point Mugu State Park. That work, the SMMTC newsletter, volunteer schedule, and other accomplishments can be viewed online at <http://www.smmtc.org/>. Attachment B provides the Spring 2007 SMMTC Newsletter.

The following provides links to the three main NRA agencies. Their websites are often cross-referenced and provide a wealth of visitor information, regulations, and opportunities within the NRA. The official NRA website is hosted by the National Parks Service at <http://www.nps.gov/samo/>. The Santa Monica Mountains Conservancy website can be located at <http://www.lamountains.com/>. CA State Parks, major parks links are provided here, and additional links can be found at the Santa Monica Mountains Conservancy website.

- Malibu Creek [http://www.parks.ca.gov/default.asp?page\\_id=614](http://www.parks.ca.gov/default.asp?page_id=614;);
- Leo Carrillo [http://www.parks.ca.gov/default.asp?page\\_id=616](http://www.parks.ca.gov/default.asp?page_id=616;);
- Topanga [http://www.parks.ca.gov/default.asp?page\\_id=629](http://www.parks.ca.gov/default.asp?page_id=629;); and
- Point Mugu [http://www.parks.ca.gov/?page\\_id=630](http://www.parks.ca.gov/?page_id=630).

#### Outdoor Clothing Stores/Bike Shop Supporters

The SMMTC lists providers of at least \$250 in cash, or in kind, during the last year, under the Supporters link on their website. These are primarily business members and their logo, website, and contact information are provided on the SMMTC Supporter page. Retail businesses, such as REI, post SMMTC volunteer opportunities at their locations.

#### Other avenues to get information out on trail use/etiquette

NRA education includes programs on environmental science and outdoor skills. In addition to using education to spread trail user and etiquette information, it may encourage continued education and fill the need for future park and trails stewardship staff. NRA staff relays that one graduate of an NRA youth rangers program has gone on to earn his degree and is working in the field of Biology, and another graduate is working locally in Parks Stewardship. Education programs, especially for youth and minorities, are often eligible for grant funds.

NRA and volunteer staff stated that Environmental Science classes, high schools, and universities often have community service requirements that provide volunteers. Community service participants may only volunteer one time or may be repeat workers. Their time on the trails provides an opportunity for crew leaders to give on the ground training, including an introduction to trail use and etiquette.

### Trail Hosts/Volunteer Enforcement Programs

*Jefferson County, Colorado:* Jefferson County Open Space was recognized by American Trails, a private, non-profit clearinghouse for trail education and awareness, with its National Trails Award in 2004 in the category of Outstanding Trail Sharing (Attachment C). One innovation of Jeff County Open Space is its Park Patroller program, which has trained and deputized over 80 volunteers to enforce regulations and provide outreach to trail users on the county's 150 miles of natural surface trails.

Another is a partnership with local mountain bike groups and businesses to instill trail etiquette through the agency's Bike Right program. Gift certificates from a local bike store are used as incentives to recognize riders who are following the Bike Right etiquette regime.

*Santa Monica Mountains National Recreation Area (NRA).* NRA volunteer enforcement programs include the Mountain Bike Unit (MBU) and the equestrian Mounted Volunteer Patrol (MVP). They perform a wide variety of duties; from supplying directions, maps, and information, to giving basic first aid, to encouraging or exacting compliance with the parks' rules and regulations. Volunteers are not law enforcement, but work in partnership and communication with authorized law enforcement agencies. As such, they are responsible for observing and recognizing any acts that may constitute a potential health hazard to the safety of people and property. Attachments D and E provide information on these two groups.

There are over 100 MBU and 30 MVP volunteers that contribute approximately 7,500 volunteer hours per year. These volunteers go through training specific to their duties, must patrol a minimum of eight hours each month, and track their work hours. They sign agreements with each of the three agencies, so their work is seamless as they move in and out of agency jurisdiction along trails. There are certain safety requirements per shift including working in pairs, carrying a radio, and signing in and out with the contracted Angeles National Forest dispatcher. The radio may be used to contact authorized law enforcement, in the event of emergency or need for park regulation enforcement.

### **Trail Regulations and Enforcement**

Marin County, California. Marin County is considered the community of origin for mountain biking as a recreational pastime, and the county's parks and preserves -- such as Mount Tamalpais -- still attract thousands of cyclists every day. A major initiative of the county to mitigate potential conflicts between mountain bicyclists and other trail users is enforcing a very strict speed limit of 15 miles per hour (MPH). Marin's aggressive speed enforcement is widely known, and is particularly the subject of postings on blogs and other on-line sites that cater to mountain bikers. The speed limits are posted on all trails, as well. Marin's park rangers also use hand-held radar guns to determine speeds of bikers, and typically display zero tolerance for speeds in excess of 15 MPH. The following table outlines some sections of Marin's regulations governing trail use and speed limits:

- *10.05.010 Motor Vehicles.* No person shall operate or possess any motor vehicle or motor driven vehicle, including, but not limited to cars, trucks, motorcycles, motorbikes or similar vehicles within parks, except upon public roads or parking lots. For the purposes of this section, battery-powered wheelchairs are exempted. (Ord. 3235 § 2 (park), 1996)
- *10.05.020 Bicycles.* No person shall operate any bicycle or similar vehicle within parks except upon paved roads, fire protection roads, designated bicycle pathways or public roads not signed against such use. Furthermore, no person shall operate or possess any bicycle or similar vehicle elsewhere within parks, including trails, unless signed specifically to permit such operation. (Ord. 3235 § 2 (park), 1996)
- *10.05.040 Speed Limits.* No person shall operate any land vehicle, including bicycles, at speeds in excess of 15 miles per hour within parks, unless otherwise posted. No vehicle shall be operated at a speed greater than is reasonable for safe operation, nor in any manner which may endanger the safety of others or the protection of facilities and environmental resources. (Ord. 3235 § 2 (park), 1996)

Boulder County Parks and Open Space/Boulder, Colorado. Boulder is considered a good example of a community that has successfully accommodated often conflicting trail users. The Boulder area is noted for its rugged terrain and for the high proportion of the population that hikes or rides bikes and horses. Boulder County's trail regulations were developed in consultation with user groups and are revisited with periodic updates. They are an integral part of the Open Space Lands regulations, excerpted below:

Rules and regulations are in place for the protection of wildlife, the natural environment, and all users of open space. Rules and regulations may vary depending on the open space property and are posted on the kiosk at the entrance, parking areas, or trailheads. [Resolution No. 2005-50 \(775KB PDF\)](#) contains a complete listing of Boulder County Parks and Open Space rules and regulations and a summary of rules and regulations, relevant to our trails discussion, is provided below:

- [Mountain biking](#) is permitted only on officially designated trails. Bicycle riders must yield the right-of-way to other trail users. Downhill riders must yield to uphill riders.
- [Horses](#) are permitted on open space lands; however, they must be under physical control. Equestrians are strongly encouraged to stay on designated trails. They must be on a lead and may not be tied and left unattended. All trail users must yield to equestrians.
- Do not install or replace rock bolts, plant trees or other landscaping, or construct trails or other structures in the parks.

- Other prohibited activities include: polluting land, water, or air; golfing, hangliding, paragliding, parapenting, parachuting, parasailing, remote-controlled land, water or air devices, mountain skateboards, ski bikes, off-road roller blades, and similar devices.

Violations are punishable by fines of up to \$300. Users are responsible for knowing and obeying all Boulder County Parks and Open Space Regulations.

Santa Barbara County. The following provides some pertinent sections of County ordinances regarding promulgation of trail regulations and enforcement of the same:

- *Sec. 26-2. Enforcement of rules and regulations.* The park department is authorized to enforce the provisions of this chapter and to provide for regulations, as required, for the safe, healthful, and orderly use of recreation areas; to prevent the misuse of such areas; and to protect the peace, health, safety and welfare of the general public and park resources as the director and staff of the park department determine to be necessary. (Ord. No. 3708, § 1)

The Park Director may promulgate regulations, but only rangers would enforce them within the park areas and penalties are limited to being ejected from the trail.

- *Sec. 26-3. Citations.* The park director, any assistant park director, any park superintendent, any assistant park superintendent, any park ranger I, any park ranger II, any park ranger IV and any agent employed or contracted for to provide lifeguard services are public officers as identified in Penal Code section 836.5, specifically authorized to enforce the laws and ordinances necessary for the orderly use of parks and recreation areas, for the protection of public property. . . are authorized to issue citations requiring an appearance to answer charges whenever the officer has reasonable cause to believe that a person has committed an act or offense within the officer's presence which is a violation of this chapter.

Ordinances, like the codified Chapter 26, are public offenses that can result in fines or even jail if so specified in the ordinance. They can be enforced on any trail by the persons enumerated in Section 26-3, or by peace officers. Any new regulations would also be adopted by ordinance and could be codified in Chapter 26.

City of Santa Barbara. In 1961, the City of Santa Barbara granted the U.S. Forest Service an easement for right of way for trails over City-owned tracks of land within the National Forest, for the construction, re-construction, maintenance, and full, free, and quiet use for enjoyment. The width of easement is 20 feet or more if necessary to accommodate cuts and fills. The City's Zoning Ordinance Section, 28.37.007, establishes that use of individual trails is determined by the Parks and Recreation Director. Currently, Rattlesnake trail is the only trail within the FCT system that the City imposes use regulations. Title 15 Recreation, Beaches and Parks in the City's

Municipal Code establishes regulation of public parks or beach properties and may be an appropriate location to establish use rules for trails.

US Forest Service. An example of a Forest Service Special Order pertaining to trail rules was presented at the September Task Force Meeting, with the Salt Lake Ranger District. That example demonstrates that the Forest Service can execute a law as defined in the Code of Federal Regulations (CFRs) to regulate or restrict trail use. In the Salt Lake City example, a violator can be fined \$50 for being in non-compliance with that Special Order and thereby cited by Forest Service Law Enforcement Personnel. In this example, the Forest Service is the only agency that can enforce this CFR. This is not usually the case. With very few exceptions, for every Forest Service CFR, there is usually a similar corresponding regulation found in the County Penal Code. This is the case in the Salt Lake City Example. This then allows County Law Enforcement to enforce many similar rules and regulations found in the Forest setting. The Forest Service cannot enforce County or City laws. Another example of an existing law the Forest Service may elect to use to enforce trail rules is as follows:

- *CFR 261.15(G).* It is prohibited to operate a vehicle off road - carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger a person or property, a fine of \$75.

These two examples appear to be the full extent of what is currently available to enforce trail rules by Forest Service Law Enforcement Personnel.

According to Los Padres Law Enforcement Staff there is not a limit or pre-decided definition for creating a Special Forest Order. The ability to create a Special Order for trails to address alternative control measures for speed and/or trail restrictions is possible. In this situation the Forest Service, through the Forest Service Supervisor, would write a justification for an order, Forest Service Law Enforcement Staff would write the legal description, and these documents would be forwarded to the Office of General Council (OGC) for legal consultation. The Forest Service Supervisor would make the final determination to proceed with the order after consultation. A key measure of consideration often reviewed for consistency by OGC is the question "is the order enforceable."

There is one more option regarding a cooperative law enforcement policy between the County and other agencies. A County Ordinance could be written to extend law enforcement authority to Forest Service personnel, potentially to both Forest Service Law Enforcement Officers (Peace Officers) and Forest Protection Officers (Park Rangers) to enforce in cooperation with the County law. This would be under the authority of the County Sheriff with concurrence with the County Board of Supervisors.

The Santa Barbara Ranger District for the past 20 years has maintained a cooperative law enforcement agreement with the County of Santa Barbara Sheriff's Department to have sheriff day and night patrols in campgrounds in the Lower Santa Ynez Recreation Area. In this agreement, the Forest Service provides annual funding to the County for providing a peace officer's presence in Forest Service campgrounds.

Currently all trail related enforcement is on an as-needed, call-basis. If a full-time federal employee was designated to address enforcement of rules and regulations on the front country trails, the potential cost would likely range from \$70,900 to \$78,700, annually, for salary and benefits and vehicle costs. This does not include additional costs associated with uniforms, office space, computers, etc.

**ATTACHMENTS:**

- A. NRA Interagency Trail Management Plan EIS/EIR Conceptual Alternatives, Recreational Facilities Signage
- B. SMMTC Spring 2007 Newsletter
- C. 2004 National Trails Award, Jefferson County Open Space, Colorado
- D. NRA Mountain Bike Unit FAQs
- E. NRA Mounted Volunteer Patrol FAQs

**SUBMITTED BY:** Jill E. Zachary, Assistant Parks and Recreation Director, City of Santa Barbara